A DISCOURSE OF THE *Contests* and *Dissensions* BETWEEN THE NOBLES and the COMMONS IN *ATHENS* and *ROME*, WITH THE Consequences they had upon both those STATES.

——Si tibi vera videtur
Dede manus; & si falsa est accingere contra.°
Lucret.

CHAP. I.

'Tis agreed, that in all government there is an absolute unlimited power, which naturally and originally seems to be placed in the whole body, wherever the executive part of it lies. This holds in the body natural; for wherever we place the beginning of motion, whether from the head, or the heart, or the animal spirits in general, the body moves and acts by a consent of all its parts. This unlimited power, placed fundamentally in the body of a People, is what the best legislators of all ages have endeavoured, in their several schemes or institutions of government, to deposit in such hands as would preserve the people from rapine and oppression within, as well as violence from without. Most of them seem to agree in this, that it was a trust too great to be committed to any one man or assembly, and therefore they left the right still in the whole body; but the administration or executive part, in the hands of one, the few, or the many, into which three powers all independent bodies of men seem naturally to divide; for by all I have read of those innumerable and petty commonwealths in Italy, Greece, and Sicily, as well as the great ones of Carthage and Rome, it seems to me, that a free People met together, whether by compact, or family government, as soon as they fall into any acts of civil society, do of themselves divide into three powers. The first is that of some one eminent spirit,° who, having signalized his valour and fortune in defence of his country, or by the practice of popular arts at home, becomes to have great influence on the people, to grow their leader in warlike expeditions, and to preside, after a sort, in their civil assemblies; and this is grounded upon the principles of nature and common reason, which, in all difficulties and dangers, where prudence or courage is required, do rather incite us to fly for counsel or assistance to a single person, than a multitude. The second natural division of power is of such men who have acquired large possessions, and

consequently dependences, or descend from ancestors who have left them great inheritances, together with an hereditary authority. These easily uniting in thoughts and opinions, and acting in concert, begin to enter upon measures for securing their properties, which are best upheld by preparing against invasions from abroad, and maintaining peace at home; this commences a great council, or Senate of Nobles, for the weighty affairs of the nation. The last division is of the mass or body of the people, whose part of power is great and undisputable, whenever they can unite either collectively, or by deputation, to exert it. Now the three forms of government so generally known in the schools, differ only by the civil administration being placed in the hands of one, or sometimes two (as in Sparta) who were called Kings; or in a senate, who were called the Nobles; or in the people collective or representative, who may be called the Commons. Each of these had frequently the executive power in Greece, and sometimes in Rome; but the power in the last resort was always meant by legislators to be held in balance among all three. And it will be an eternal rule in politics among every free people, that there is a balance of power to be carefully held by every state within itself, as well as among several states with each other.

The true meaning of a balance of power, either without or within a state, is best conceived by considering what the nature of a balance is. It supposes three things. First, the part which is held, together with the hand that holds it; and then the two scales, with whatever is weighed therein. Now consider several states in a neighbourhood; in order to preserve peace between these states, it is necessary they should be formed into a balance, whereof one or more are to be directors, who are to divide the rest into equal scales, and, upon occasions, remove from one into the other, or else fall with their own weight into the lightest; so, in a state within itself, the balance must be held by a third hand, who is to deal the remaining power with the utmost exactness into each scale. Now it is not necessary, that the power should be equally divided between these three; for the balance may be held by the weakest, who, by his address and conduct, removing from either scale and adding of his own, may keep the scales duly poised. Such was that of the two kings of Sparta, the consular power in Rome, that of the kings of Media before the reign of Cyrus, as represented by Xenophon; and that of the several limited states in the Gothic institutions.

When the balance is broke, whether by the negligence, folly, or weakness of the hand that held it, or by mighty weights fallen into either scale, the power will never continue long in equal division between the two remaining parties, but (till the balance is fixed anew) will run entirely

into one. This gives the truest account of what is understood in the most ancient and approved Greek authors, by the word Tyranny,° which is not meant for the seizing of the uncontrolled or absolute power into the hands of a single person (as many superficial men have grossly mistaken) but for the breaking of the balance by whatever hand, and leaving the power wholly in one scale. For tyranny and usurpation in a state are by no means confined to any number, as might easily appear from examples enough; and, because the point is material, I shall cite a few to prove it.

The Romans* having sent to Athens and the Greek cities of Italy, for the copies of the best laws, chose ten legislators to put them into form, and during the exercise of their office, suspended the consular power, leaving the administration of affairs in their hands. These very men, though chosen for such a work, as the digesting a body of laws for the government of a free state, did immediately usurp arbitrary power, ran into all the forms of it, had their guards and spies after the practice of the tyrants of those ages, affected kingly state, destroyed the Nobles, and oppressed the People; one of them proceeding so far as to endeavour to force a lady of great virtue: the very crime,° which gave occasion to the expulsion of the regal power but sixty years before, as this attempt did to that of the Decemviri.

The Ephori in Sparta were at first only certain persons deputed by the kings to judge in civil matters, while *they* were employed in the wars. These men, at several times, usurped the absolute authority, and were as cruel tyrants as any in their age.

Soon after the unfortunate expedition into Sicily,† the Athenians chose four hundred men for administration of affairs, who became a body of tyrants, and were called in the language of those ages, an Oligarchy, or Tyranny of the Few; under which hateful denomination they were soon after deposed in great rage by the People.

When Athens was subdued by Lysander,‡ he appointed thirty men for the administration of that city, who immediately fell into the rankest tyranny; but this was not all; for conceiving their power not founded on a basis large enough, they admitted three thousand into a share of the government; and thus fortified, became the cruellest tyranny upon record. They murdered in cold blood great numbers of the best men, without any provocation, from the mere lust of cruelty, like Nero or Caligula. This was such a number of tyrants together, as amounted to near a third part of the whole city; for Xenophon tells us,§ that the city contained about ten thousand houses; and allowing one man to every

* Dionys. Hal. lib. 10.
† Thucyd. lib. 8.
‡ Xenoph. de Rebus Graec. l. 2.
§ Memorab. lib. 3.

house, who could have any share in the government (the rest consisting of women, children, and servants), and making other obvious abatements, these tyrants, if they had been careful to adhere together, might have been a majority even of the people collective.

In the time of the second Punic war,* the balance of power in Carthage was got on the side of the people, and this to a degree, that some authors reckon the government to have been then among them a *dominatio plebis*, or Tyranny of the Commons; which it seems they were at all times apt to fall into, and was at last among the causes that ruined their state: and the frequent murders of their generals, which Diodorus† tells us was grown to an established custom among them, may be another instance that tyranny is not confined to numbers.

I shall mention but one example more among a great number that might be produced; it is related by the author last cited.‡ The orators of the people at Argos (whether you will style them, in modern phrase, *Great Speakers in the House*; or only, in general, representatives of the people collective) stirred up the commons against the nobles, of whom 1600 were murdered at once; and at last, the orators themselves, because they left off their accusations, or, to speak intelligibly, because they *withdrew their impeachments*; having, it seems, raised a spirit they were not able to lay. And this circumstance, as cases have lately stood, may perhaps be worth noting.

From what hath been already advanced several conclusions may be drawn.

First, That a mixed government, partaking of the known forms received in the schools, is by no means of Gothic invention, but hath place in nature and reason, seems very well to agree with the sentiments of most legislators, and to have been followed in most states, whether they have appeared under the name of monarchies, aristocracies, or democracies. For, not to mention the several republics of this composition in Gaul and Germany, described by Cæsar and Tacitus, Polybius tells us, the best government is that which consists of three forms, *Regno, Optimatium, et Populi Imperio*;§° which may be fairly translated, the King, Lords, and Commons. Such was that of Sparta, in its primitive institution by Lycurgus; who, observing the corruptions and depravations to which every of these was subject, compounded his scheme out of all; so that it was made up of *Reges, Seniores, et Populus*.° Such also was the state of Rome under its consuls; and the author tells us, that the Romans fell upon this model purely by chance (which I take to have been nature and common reason), but the Spartans by thought and design. And such at

* Polyb. Frag. lib. 6. † Lib. 20. ‡ Lib. 15. § Frag. lib. 6.

Carthage was the *summa reipublicæ*,* or power in the last resort; for they had their kings, called *Suffetes*, and a Senate, which had the power of nobles, and the people had a share established too.

Secondly, it will follow, that those reasoners who employ so much of their zeal, their wit, and their leisure for upholding the balance of power in Christendom, at the same time that by their practices they are endeavouring to destroy it at home, are not such mighty patriots, or so much in the true interest of their country, as they would affect to be thought, but seem to be employed like a man who pulls down with his right hand what he has been building with his left.

Thirdly, this makes appear the error of those who think it an uncontrollable maxim, that power is always safer lodged in many hands than in one. For, if these many hands be made up only from one of the three divisions before-mentioned, it is plain from those examples already produced, and easy to be paralleled in other ages and countries, that they are as capable of enslaving the nation, and of acting all manner of tyranny and oppression, as it is possible for a single person to be, although we should suppose their number not only to be of four or five hundred, but above three thousand.

Again, it is manifest, from what hath been said, that in order to preserve the balance in a mixed state, the limits of power deposited with each party° ought to be ascertained, and generally known. The defect of this is the cause that introduces those strugglings in a state about Prerogative and Liberty; about Encroachments of the Few upon the Rights of the Many, and of the Many upon the Privileges of the Few, which ever did and ever will conclude in a Tyranny; first, either of the Few or the Many, but at last, infallibly of a single person. For whichever of the three divisions in a state is upon the scramble for more power than its own (as one or other of them generally is), unless due care be taken by the other two, upon every new question that arises they will be sure to decide in favour of themselves, talk much of Inherent Right; they will nourish up a dormant power, and reserve privileges° *in petto*, to exert upon occasions, to serve expedients, and to urge upon necessities; they will make large demands, and scanty concessions, ever coming off considerable gainers. Thus at length the balance is broke, and Tyranny let in, from which door of the three it matters not.

To pretend to a declarative right upon any occasion whatsoever, is little less than to make use of the whole power; that is, to declare an opinion to be law, which hath always been contested, or perhaps never started before such an incident brought it on the stage. Not to consent to

* Id. ib.

the enacting of such a law, which has no view besides the general good, unless another law° shall at the same time pass with no other view but that of advancing the power of one party alone; what is this but to claim a positive voice as well as a negative? To pretend that great changes and alienations of property° have created new and great dependences, and consequently new additions of power, as some reasoners have done, is a most dangerous tenet. If dominion must follow property, let it follow in the same pace; for changes in property through the bulk of a nation make slow marches, and its due power always attends it. To conclude that whatever attempt is begun by an assembly ought to be pursued° to the end, without regard to the greatest incidents that may happen to alter the case; to count it mean, and below the *dignity of a House*, to quit a prosecution; to resolve upon a conclusion before it is possible to be apprised of the premisses; to act thus, I say, is to affect not only absolute power, but infallibility too. Yet such unaccountable proceedings as these have popular assemblies engaged in, for want of fixing the due limits of power and privilege.

Great changes may indeed be made in government, yet the form continue and the balance be held. But large intervals of time must pass between every such innovation, enough to melt down and make it of a piece with the constitution. Such, we are told, were the proceedings of Solon when he modelled anew the Athenian Commonwealth. And what convulsions in our own as well as other states have been bred by a neglect of this rule, is fresh and notorious enough. It is too soon, in all conscience, to repeat this error again.

Having shown that there is a natural balance of power in all free states, and how it hath been divided, sometimes by the people themselves, as in Rome, at others by the institutions of the legislators, as in the several states of Greece and Sicily; the next thing is to examine what methods have been taken to break or overthrow this balance, which every one of the three parties hath continually endeavoured, as opportunities have served; as might appear from the stories of most ages and countries. For, absolute power in a particular state is of the same nature with universal monarchy in several states adjoining to each other. So endless and exorbitant are the desires of men, whether considered in their persons or their states, that they will grasp at all, and can form no scheme of perfect happiness with less. Ever since men have been united into governments, the hopes and endeavours after universal monarchy have been bandied among them, from the reign of Ninus to this of the Most Christian King;° in which pursuits commonwealths have had their share, as well as monarchs. So the Athenians, the Spartans, the Thebans, and the

Achaians, did several times aim at the universal monarchy of Greece; so the commonwealths of Carthage and Rome affected the universal monarchy of the then known world. In like manner hath absolute power been pursued by the several parties of each particular state; wherein single persons have met with most success, though the endeavours of the Few and the Many have been frequent enough; yet, being neither so uniform in their designs, nor so direct in their views, they neither could manage nor maintain the power they had got; but were ever deceived by the popularity and ambition of some single person. So that it will be always a wrong step in policy for the Nobles and Commons to carry their endeavours after power so far as to overthrow the balance. And it would be enough to damp their warmth in such pursuits, if they could once reflect that in such a course they will be sure to run upon the very rock that they meant to avoid; which, I suppose, they would have us think is the tyranny of a single person.

Many examples might be produced of the endeavours of each of these three rivals after absolute power; but I shall suit my discourse to the time I am writing in, and relate only such dissensions in Greece and Rome, between the Nobles and Commons, with the consequences of them, wherein the latter were the aggressors.

I shall begin with Greece, where my observations shall be confined to Athens, though several instances might be brought from other states thereof.

CHAP. II.

Of the Dissensions in ATHENS, *between the* FEW *and the* MANY.

Theseus is the first who is recorded, with any appearance of truth, to have brought the Grecians from a barbarous manner of life among scattered villages, into cities; and to have established the popular state in Athens, assigning to himself the guardianship of the laws, and chief command in war. He was forced after some time to leave the Athenians to their own measures, upon account of their seditious temper, which ever continued with them till the final dissolution of their government by the Romans. It seems the country about Attica was the most barren of any in Greece; through which means it happened that the natives were never expelled by the fury of invaders (who thought it not worth a conquest), but continued always aborigines, and therefore retained, through all revolutions, a tincture of that turbulent spirit wherewith their government began. This institution of Theseus appears to have been

rather a sort of mixed monarchy than a popular state, and for aught we know, might continue so during that series of kings till the death of Codrus. From this last prince, Solon was said to be descended; who, finding the people engaged in two violent factions of the Poor and the Rich, and in great confusions thereupon; refusing the monarchy which was offered him, chose rather to cast the government after another model, wherein he made due provision for settling the balance of power, choosing a senate of four hundred and disposing the magistracies and offices according to men's estates; leaving to the multitude their votes in electing, and the power of judging certain processes by appeal. This council of 400 was chosen, 100 out of each tribe, and seems to have been a body representative of the people; though the people collective reserved a share of power to themselves. It is a point of history perplexed enough; but thus much is certain, that the balance of power was provided for; else Pisistratus, called by authors the Tyrant of Athens, could never have governed so peaceably as he did, without changing any of Solon's laws.* These several powers, together with that of the Archon or chief magistrate, made up the form of government in Athens, at what time it began to appear upon the scene of action and story.

The first great man bred up under this institution was Miltiades, who lived about ninety years after Solon, and is reckoned to have been the first great captain not only of Athens, but of all Greece. From the time of Miltiades to that of Phocion, who is looked upon as the last famous general of Athens, are about 130 years; after which they were subdued and insulted by Alexander's captains, and continued under several revolutions a small truckling state of no name or reputation, till they fell with the rest of Greece under the power of the Romans.

During this period from Miltiades to Phocion, I shall trace the conduct of the Athenians with relation to their dissensions between the People and some of their Generals; who at that time, by their power and credit in the army, in a warlike commonwealth, and often supported by each other, were with the magistrates and other civil officers a sort of counterpoise to the power of the people, who since the death of Solon had already made great encroachments. What these dissension were, how founded, and what the consequences of them, I shall very briefly and impartially relate.

I must here premise, that the Nobles in Athens were not at this time a corporate assembly, that I can gather; therefore the resentments of the Commons were usually turned against particular persons, and by way of articles of impeachment. Whereas the Commons in Rome and some

* Herodot. lib. 1.

other states, as will appear in a proper place, though they followed this method upon occasion, yet generally pursued the enlargement of their power by more set quarrels of one entire assembly against another. However, the custom of particular impeachments being not limited to former ages, any more than that of general struggles and dissensions between fixed assemblies of Nobles and Commons; and the ruin of Greece having been owing to the former, as that of Rome was to the latter; I shall treat on both expressly; that those states who are concerned in either (if at least there be any such now in the world) may, by observing the means and issues of former dissensions, learn whether the causes are alike in theirs; and if they find them to be so, may consider whether they ought not justly to apprehend the same effects.

To speak of every particular person impeached by the Commons of Athens, within the compass designed, would introduce the history of almost every great man they had among them. I shall therefore take notice only of six who, living in that period of time when Athens was at the height of its glory° (as indeed it could not be otherwise while such hands were at the helm), though *impeached for high crimes and misdemeanours* such as bribery, arbitrary proceedings, misapplying or embezzling public funds, ill conduct at sea, and the like, were honoured and lamented by their country as the preservers of it, and have had the veneration of all ages since justly paid to their memories.

Miltiades was one of the Athenian generals against the Persian power, and the famous victory at Marathon was chiefly owing to his valour and conduct. Being sent some time after to reduce the Island Paros, he mistook a great fire at a distance for the Persian fleet, and being no ways a match for them, set sail to Athens. At his arrival he was *impeached* by the Commons for treachery, though not able to appear by reason of his wounds, fined 30,000 crowns, and died in prison. Though the consequences of this proceeding upon the affairs of Athens were no more than the untimely loss of so great and good a man, yet I could not forbear relating it.

Their next great man was Aristides. Besides the mighty service he had done his country in the wars, he was a person of the strictest justice, and best acquainted with the laws as well as forms of their government, so that he was in a manner the Chancellor of Athens. This man, upon a slight and false accusation of favouring arbitrary power, was banished by ostracism; which, rendered into modern English, would signify, that they voted *he should be removed from their presence and councils for ever.*° But they had soon the wit to recall him, and to that action owed the preservation of their state by his future services. For it must be still

confessed in behalf of the Athenian People, that they never conceived themselves perfectly infallible, nor arrived to the heights of modern assemblies to make obstinacy confirm what sudden heat and temerity began. They thought it not below the dignity of an assembly to endeavour at correcting an ill step; at least to repent, though it often fell out too late.

Themistocles was at first a Commoner himself. It was he who raised the Athenians to their greatness at sea, which he thought to be the true and constant interest of that Commonwealth; and the famous naval victory over the Persians at Salamis was owing to his conduct. It seems the people observed somewhat of haughtiness in his temper and behaviour, and therefore banished him for five years; but finding some slight matter of accusation against him, they sent to seize his person, and he hardly escaped to the Persian court; from whence, if the love of his country had not surmounted its base ingratitude to him, he had many invitations to return at the head of the Persian fleet, and take a terrible revenge; but he rather chose a voluntary death.

The people of Athens impeached Pericles for misapplying the public revenues to his own private use. He had been a person of great deservings from the Republic, was an admirable speaker, and very popular. His accounts were confused, and he wanted time to adjust them; therefore, merely to divert that difficulty and the consequences of it, he was forced to engage his country in the Peloponnesian war, the longest that ever was known in Greece, and which ended in the utter ruin of Athens.

The same people having resolved to subdue Sicily, sent a mighty fleet under the command of Nicias, Lamachus, and Alcibiades: the two former, persons of age and experience; the last, a young man of noble birth, excellent education, and a plentiful fortune. A little before the fleet set sail, it seems one night the stone-images of Mercury, placed in several parts of the city, were all pared in the face. This action the Athenians interpreted for a design of destroying the popular state; and Alcibiades, having been formerly noted for the like frolics and excursions, was immediately accused of this. He, whether conscious of his innocence, or assured of the secrecy, offered to come to his trial before he went to his command; this the Athenians refused; but as soon as he was got to Sicily, they sent for him back, designing to take the advantage and prosecute him in the absence of his friends, and of the army, where he was very powerful. It seems he understood the resentments of a popular assembly too well to trust them; and therefore instead of returning, escaped to Sparta, where his desire of revenge prevailing over his love to his country, he became its greatest enemy. Meanwhile the Athenians, before Sicily, by the death of

one commander, and the superstition, weakness, and perfect ill conduct of the other, were utterly destroyed, the whole fleet taken, [and] a miserable slaughter made of the army, whereof hardly one ever returned. Some time after this Alcibiades was recalled upon his own conditions by the necessities of the People, and made chief commander at sea and land; but his lieutenant engaging against his positive orders, and being beaten by Lysander, Alcibiades was again disgraced and banished. However, the Athenians having lost all strength and heart since their misfortune at Sicily, and now deprived of the only person that was able to recover their losses, repent of their rashness, and endeavour in vain for his restoration; the Persian lieutenant to whose protection he fled, making him a sacrifice to the resentments of Lysander, the general of the Lacedemonians, who now reduces all the dominions of the Athenians, takes the city, razes their walls, ruins their works, and changes the form of their government; which, though again restored for some time by Thrasybulus (as their walls were rebuilt by Conon) yet here we must date the fall of the Athenian greatness; the dominion and chief power in Greece from that period to the time of Alexander the Great, which was about fifty years, being divided between the Spartans and Thebans. Though Philip, Alexander's father (the Most Christian king of that age) had indeed some time before begun to break in upon the republics of Greece by conquest or bribery, particularly *dealing large money among some popular orators*, by which he brought many of them (as the term of art was then) to *Philippize*.°

In the time of Alexander and his captains, the Athenians were offered an opportunity of recovering their liberty and being restored to their former state; but the wise turn they thought to give the matter was by an impeachment and sacrifice of the author to hinder the success. For, after the destruction of Thebes by Alexander, this prince designing the conquest of Athens, was prevented by Phocion the Athenian general, then ambassador from that state; who by his great wisdom and skill at negotiation diverted Alexander from his design, and restored the Athenians to his favour. The very same success he had with Antipater after Alexander's death, at which time the government was new regulated by Solon's laws. But Polyperchon, in hatred to Phocion, having by order of the young king (whose governor he was) restored those whom Phocion had banished, the plot succeeded; Phocion was accused by popular orators, and put to death.

Thus was the most powerful commonwealth of all Greece, after great degeneracies from the institution of Solon, utterly destroyed by that rash, jealous, and inconstant humour of the People, which was never satisfied to

see a general either victorious or unfortunate; such ill judges, as well as rewarders, have Popular Assemblies been, of those who best deserved from them.

Now, the circumstance which makes these examples of more importance, is, that this very power of the People in Athens, claimed so confidently for an inherent right, and insisted on as the undoubted privilege of an Athenian born, was the rankest encroachment imaginable, and the grossest degeneracy from the form that Solon left them. In short, their government was grown into a *dominatio plebis*, or Tyranny of the People, who by degrees had broke and overthrown the balance which that legislator had very well fixed and provided for. This appears not only from what hath been already said of that lawgiver, but more manifestly from a passage in Diodorus;* who tells us that Antipater, one of Alexander's captains, 'abrogated the popular government (in Athens) and restored the power of suffrages and magistracy to such only as were worth two thousand drachmas; by which means (says he) that Republic came to be again administered by the laws of Solon.' By this quotation 'tis manifest that this great author looked upon Solon's institution, and a popular government, to be two different things. And as for this restoration by Antipater, it had neither consequence nor continuance worth observing.

I might easily produce many more examples, but these are sufficient: and it may be worth the reader's time to reflect a little upon the merits of the cause, as well as of the men, who had been thus dealt with by their country. I shall direct him no further than by repeating, that Aristides was the most renowned by the people themselves for his exact *justice and knowledge in the law.* That Themistocles was a most fortunate admiral, and had got *a mighty victory over the great King of* Persia's *fleet*; that Pericles was *an able minister of state, an excellent orator, and a man of letters*; and, lastly, that Phocion, besides the success of his arms, was also renowned for his *negotiations abroad, having in an embassy brought the greatest monarch of the world at that time, to the terms of an honourable peace, by which his country was preserved.*

I shall conclude my remarks upon Athens with the character given us of that People by Polybius.† 'About this time (says he) the Athenians were governed by two men, quite sunk in their affairs; had little or no commerce with the rest of Greece, and were become great reverencers of crowned heads.'

For, from the time of Alexander's captains till Greece was subdued by the Romans (to the latter part of which this description of Polybius falls

* Lib. 18. † Lib. 5.

in) Athens never produced one famous man either for counsels or arms, or hardly for learning. And, indeed, it was a dark insipid period through all Greece: for except the Achaian league under Aratus and Philopœmen,* and the endeavours of Agis and Cleomenes to restore the state of Sparta, so frequently harassed with tyrannies occasioned by the popular practices of the Ephori, there was very little worth recording. All which consequences may perhaps be justly imputed to this degeneracy of Athens.

CHAP. III.

Of the Dissensions between the PATRICIANS *and* PLEBEIANS *in* ROME, *with the Consequences they had upon that State.*

Having in the foregoing Chapter confined myself to the proceedings of the Commons only, by the method of *impeachments* against particular persons, with the fatal effects they had upon the state of Athens, I shall now treat of the dissensions at Rome, between the People and the collective body of the Patricians or Nobles. It is a large subject, but I shall draw it into as narrow a compass as I can.

As Greece, from the most ancient accounts we have of it, was divided into several kingdoms, so was most part of Italy† into several petty commonwealths. And as those kings in Greece are said to have been deposed by their People upon the score of their arbitrary proceedings; so, on the contrary, the commonwealths of Italy were all swallowed up, and concluded in the tyranny of the Roman emperors. However, the differences between those Grecian monarchies and Italian Republics were not very great: for, by the accounts Homer gives us of those Grecian princes who came to the siege of Troy, as well as by several passages in the Odysseys, it is manifest that the power of these princes in their several states was much of a size with that of the kings in Sparta, the Archon at Athens, the Suffetes at Carthage, and the Consuls in Rome. So that a limited and divided power seems to have been the most ancient and inherent principle of both those People, in matters of government. And such did that of Rome continue from the time of Romulus, though with some interruptions, to Julius Cæsar, when it ended in the tyranny of a single person. During which period (not many years longer than from the Norman conquest to our age) the Commons were growing by degrees into power and property, gaining ground upon the Patricians, as it were, inch by inch, till at last they quite overturned the balance, leaving

* Polyb. † Dionys. Halicar.

all doors open to the practices of popular and ambitious men, who destroyed the wisest republic, and enslaved the noblest people that ever entered upon the stage of the world. By what steps and degrees this was brought to pass, shall be the subject of my present enquiry.

While Rome was governed by kings, the monarchy was altogether elective. Romulus himself, when he had built the city, was declared king by the universal consent of the People, and by augury, which was then understood for Divine appointment. Among other divisions he made of the People, one was into Patricians and Plebeians: the former were like the Barons of England some time after the conquest; and the latter are also described to be almost exactly what our Commons were then. For they were dependents upon the Patricians, whom they chose for their patrons and protectors, to answer for their appearance, and defend them in any process; they also supplied their patrons with money in exchange for their protection. This custom of patronage, it seems, was very ancient and long practised among the Greeks.

Out of these Patricians Romulus chose an hundred to be a Senate, or Grand Council, for advice and assistance to him in the administration. The Senate, therefore, originally consisted all of nobles, and were of themselves a standing council, the People being only convoked upon such occasions as by this institution of Romulus fell into their cognizance. These were, to constitute magistrates, to give their votes for making laws, and to advise upon entering on a war. But the two former of these popular privileges were to be confirmed by authority of the Senate; and the last was only permitted at the King's pleasure.° This was the utmost extent of power pretended to by the Commons in the time of Romulus; all the rest being divided between the King and the Senate, the whole agreeing very nearly with the constitution of England for some centuries after the conquest.

After a year's interregnum from the death of Romulus, the Senate of their own authority chose a successor, and a stranger, merely upon the fame of his virtue, without asking the consent of the Commons; which custom they likewise observed in the two following kings. But in the election of Tarquinius Priscus, the fifth king, we first hear mentioned that it was done, *populi impetratâ veniâ*;° which indeed was but very reasonable for a free people to expect; though I cannot remember, in my little reading, by what incidents they were brought to advance so great a step. However it were, this prince, in gratitude to the People by whose consent he was chosen, elected a hundred Senators out of the Commons, whose number with former additions was now amounted to three hundred.

The People having once discovered their own strength, did soon take occasion to exert it, and that by very great degrees. For at this king's death (who was murdered by the sons of a former), being at a loss for a successor, Servius Tullius, a stranger, and of mean extraction, was chosen protector of the kingdom by the People, without the consent of the Senate; at which the Nobles being displeased, he wholly applied himself to gratify the Commons, and was by them declared and confirmed no longer protector, but King.°

This prince first introduced the custom of giving freedom to servants, so as to become citizens of equal privileges with the rest, which very much contributed to increase the power of the People.

Thus in a very few years the Commons proceeded so far as to wrest even the power of choosing a king, entirely out of the hands of the Nobles; which was so great a leap and caused such a convulsion and struggle in the state, that the constitution could not bear it; but civil dissensions arose, which immediately were followed by the tyranny of a single person, as this was by the utter subversion of the regal government, and by a settlement upon a new foundation. For the Nobles, spited at this indignity done them by the Commons, firmly united in a body, deposed this prince by plain force, and chose Tarquin the Proud, who, running into all the forms and methods of tyranny, after a cruel reign, was expelled by an universal concurrence of Nobles and People, whom the miseries of his reign had reconciled.

When the Consular government began, the balance of power between the Nobles and Plebeians was fixed anew. The two first Consuls were nominated by the Nobles, and confirmed by the Commons; and a law was enacted, that no person should bear any magistracy in Rome, *injussu populi*; that is, without consent of the Commons.

In such turbulent times as these, many of the poorer citizens had contracted numerous debts, either to the richer sort among themselves, or to senators and other nobles: and the case of debtors in Rome for the first four centuries* was, after the set time for payment, no choice but either to pay or be the creditor's slave. In this juncture, the Commons leave the city in mutiny and discontent, and will not return but upon condition to be acquitted of all their debts; and moreover, that certain magistrates be chosen yearly, whose business it shall be to defend the Commons from injuries. These are called Tribunes of the People,° their persons are held sacred and inviolable, and the People bind themselves by oath never to abrogate the office. By these Tribunes, in process of time, the People were grossly imposed on to serve the turns and

* Ab urbe condita [from the founding of the city].

occasions of revengeful or ambitious men, and to commit such exorbitances as could not end but in the dissolution of the government.

These Tribunes, a year or two after their institution, kindled great dissensions between the Nobles and the Commons on the account of Coriolanus, a nobleman, whom the latter had *impeached*, and the consequences of whose impeachment (if I had not confined myself to Grecian examples for that part of my subject) had like to have been so fatal to their state. And from this time the Tribunes begun a custom of accusing to the People whatever Noble they pleased, several of whom were banished or put to death in every age.

At this time the Romans were very much engaged in wars with their neighbouring states; but upon the least intervals of peace, the quarrels between the Nobles and the Plebeians would revive; and one of the most frequent subjects of their differences was the *conquered lands*,° which the Commons would fain have divided among the public; but the Senate could not be brought to give their consent. For several of the wisest among the Nobles began to apprehend the growing power of the People; and therefore, knowing what an accession thereof would accrue to them by such an addition of property, used all means to prevent it: for this the Appian family was most noted, and thereupon most hated by the Commons. One of them having made a speech against this division of lands, was impeached by the People of high treason, and a day appointed for his trial; but he disdaining to make his defence, chose rather the usual Roman remedy of killing himself, after whose death the Commons prevailed, and the lands were divided among them.

This point was no sooner gained, but new dissensions began; for the Plebeians would fain have a law enacted to lay all men's rights and privileges upon the same level; and to enlarge the power of every magistrate within his own jurisdiction, as much as that of the Consuls. The Tribunes also obtained to have their number doubled, which before was five; and the author tells us that their insolence and power increased with their number, and the seditions were also doubled with it.*

By the beginning of the fourth century from the building of Rome, the Tribunes proceeded so far in the name of the Commons, as to accuse and fine the Consuls themselves,° who represented the kingly power. And the Senate observing, how in all contentions they were forced to yield to the Tribunes and People, thought it their wisest course to give way also to time. Therefore a decree was made to send ambassadors to Athens and the other Grecian commonwealths planted in that part of Italy called Græcia Major, to make a collection of the best laws; out of

* Dionys. Halicar.

which, and some of their own, a new complete body of law was formed, afterwards known by the name of the Laws of the Twelve Tables.

To digest these laws into order, ten men were chosen, and the administration of all affairs left in their hands; what use they made of it hath been already shown. It was certainly a great revolution, produced entirely by the many unjust encroachments of the People; and might have wholly changed the fate of Rome, if the folly and vice of those, who were chiefly concerned, could have suffered it to take root.

A few years after, the Commons made further advances on the power of the Nobles; demanding among the rest that the Consulship, which hitherto had only been disposed to the former, should now lie in common to the pretensions of any Roman whatsoever. This, though it failed at present, yet afterwards obtained, and was a mighty step to the ruin of the commonwealth.

What I have hitherto said of Rome hath been chiefly collected out of that exact and diligent writer Dionysius Halicarnasseus; whose history (through the injury of time) reaches no farther than to the beginning of the fourth century after the building of Rome. The rest I shall supply from other authors, though I do not think it necessary to deduce this matter any further so very particularly as I have hitherto done.

To point at what time the balance of power was most equally held between the Lords and Commons in Rome would perhaps admit a controversy. Polybius tells us,* that in the second Punic war the Carthaginians were declining because the balance was got too much on the side of the People, whereas the Romans were in their greatest vigour by the power remaining in the Senate; yet this was between two and three hundred years after the period Dionysius ends with; in which time the Commons had made several further acquisitions. This however must be granted, that (till about the middle of the fourth century) when the Senate appeared resolute at any time upon exerting their authority, and adhered closely together, they did often carry their point. Besides, it is observed by the best authors,† that in all the quarrels and tumults at Rome from the expulsion of the kings, though the People frequently proceeded to rude contumelious language, and sometimes so far as to pull and hale one another about the forum; yet no blood was ever drawn in any popular commotions, till the time of the Gracchi. However, I am of opinion that the balance had begun many years before to lean to the popular side. But this default was corrected, partly by the principle just mentioned, of never drawing blood in a tumult; partly by the warlike genius of the People, which in those ages was almost perpetually

* Fragm. lib. 6 † Dionys. Hal., Plutarch, &c.

employed; and partly by their great commanders, who by the credit they had in their armies fell into the scales as a further counterpoise to the growing power of the People. Besides, Polybius, who lived in the time of Scipio Africanus the younger, had the same apprehensions of the continual encroachments made by the Commons; and being a person of as great abilities and as much sagacity as any of his age; from observing the corruptions, which, he says, had already entered into the Roman constitution, did very nearly foretell what would be the issue of them. His words are very remarkable, and with little addition may be rendered to this purpose.* 'That those abuses and corruptions which in time destroy a government,° are sown along with the very seeds of it, and both grow up together; and that as rust eats away iron, and worms devour wood, and both are a sort of plagues born and bred along with the substance they destroy; so with every form and scheme of government that man can invent, some vice or corruption creeps in with the very institution, which grows up along with and at last destroys it.' The same author,† in another place, ventures so far as to guess at the particular fate which would attend the Roman government. He says, its ruin would arise from popular tumults, which would introduce a *dominatio plebis*, or Tyranny of the People; wherein it is certain he had reason, and therefore might have adventured to pursue his conjectures so far as to the consequences of a popular tyranny, which, as perpetual experience teaches, never fails to be followed by the arbitrary government of a single person.

About the middle of the fourth century from the building of Rome, it was declared lawful for nobles and plebeians to intermarry; which custom, among many other states, has proved the most effectual means to ruin the former, and raise the latter.

And now the greatest employments in the state were, one after another by laws forcibly enacted by the Commons, made free to the People: the Consulship itself, the office of Censor, that of the Quæstors or Commissioners of the Treasury, the office of Prætor or Chief Justice, the priesthood, and even that of Dictator. The Senate, after long opposition, yielding merely for present quiet to the continual urging clamours of the Commons, and of the Tribunes their advocates. A law was likewise enacted, that the *plebiscita*, or *A Vote of the House of Commons*, should be of universal obligation; nay, in time the method of enacting laws was wholly inverted: for whereas the Senate used of old to confirm the *plebiscita*, the People did at last, as they pleased, confirm or disannul the *senatusconsulta*.‡

Appius Claudius brought in a custom of admitting to the Senate the

* Lib. 5. † Fragm. lib. 6. ‡ Dionys. Hal. lib. 2.

sons of freedmen, or of such who had once been slaves; by which, and succeeding alterations of the like nature, that great council degenerated into a most corrupt and factious body of men, divided against itself, and its authority became despised.

The century and half following, to the end of the third Punic war by the entire destruction of Carthage, was a very busy period at Rome: the intervals between every war being so short, that the Tribunes and People had hardly leisure or breath to engage in domestic dissensions; however, the little time they could spare was generally employed the same way. So, Terentius Leo, a Tribune, is recorded to have basely prostituted the privileges of a Roman citizen, in perfect spite to the Nobles. So, the great African Scipio and his brother, after all their mighty services, were impeached by an ungrateful Commons.

However, the warlike genius of the people and continual employment they had for it, served to divert this humour from running into a head, till the age of the Gracchi.°

These persons, entering the scene in the time of a full peace, fell violently upon advancing the power of the People, by reducing into practice all those encroachments which they had been so many years gaining. There were at that time certain *conquered lands* to be divided, beside a *great private estate left by a king*.° These the Tribunes, by procurement of the elder Gracchus, declared by their legislative authority were not to be disposed of by the Nobles, but by the Commons only. The younger brother pursued the same design; and besides, obtained a law that all Italians should vote at elections as well as the citizens of Rome: in short, the whole endeavours of them both perpetually turned upon retrenching the Nobles' authority in all things, but especially in the matter of judicature. And though they both lost their lives in those pursuits, yet they traced out such ways as were afterwards followed by Marius, Sylla, Pompey, and Cæsar, to the ruin of the Roman freedom and greatness.

For in the time of Marius, Saturninus, a Tribune, procured a law that the Senate should be bound by oath to agree to whatever the People would enact. And Marius himself while he was in that office of Tribune is recorded to have with great industry used all endeavours for depressing the Nobles, and raising the People; particularly for cramping the former in their *power of judicature*, which was their most *ancient and inherent right*.

Sylla, by the same measures, became absolute tyrant of Rome; he added three hundred Commons to the Senate, which perplexed the power of the whole order and rendered it ineffectual; then flinging off the

mask, he abolished the office of Tribune, as being only a scaffold to tyranny, whereof he had no further use.

As to Pompey and Cæsar, Plutarch tells us that their union for pulling down the Nobles (by their credit with the People) was the cause of the civil war, which ended in the tyranny of the latter; both of them in their consulships having used all endeavours and occasions for sinking the authority of the Patricians, and giving way to all encroachments of the People, wherein they expected best to find their own accounts.

From this deduction of popular encroachments in Rome, the reader will easily judge, how much the balance was fallen upon that side. Indeed, by this time the very foundation was removed, and it was a moral impossibility that the Republic could subsist any longer. For the Commons having usurped the offices of the state, and trampled on the Senate, there was no government left but a *dominatio plebis.* Let us, therefore, examine how they proceeded in this conjuncture.

I think it is an universal truth, that the People are much more dexterous at pulling down and setting up, than at preserving what is fixed; and they are not fonder of seizing more than their own than they are of delivering it up again to the worst bidder, with their own into the bargain. For, although in their corrupt notions of divine worship, they are apt to multiply their gods; yet their earthly devotion is seldom paid to above one idol at a time, of their own creation; whose oar they pull with less murmuring, and much more skill, than when they share the lading, or even hold the helm.

The several provinces of the Roman empire were now governed by the great men of their state, those upon the frontiers with powerful armies, either for conquest or defence. These governors, upon any designs of revenge or ambition, were sure to meet with a divided power at home, and therefore bent all their thoughts and applications to close in with the People, who were now by many degrees the stronger party. Two of the greater spirits that Rome ever produced, happened to live at the same time and to be engaged in the same pursuit; and this at a juncture the most dangerous for such a contest. These were Pompey and Cæsar, two stars of such a magnitude that their conjunction was as likely to be fatal as their opposition.

The Tribunes and People, having now subdued all competitors, began the last game of a prevalent populace, which is that of choosing themselves a master; while the Nobles foresaw, and used all endeavours left them to prevent it. The People at first made Pompey their admiral, with full power over all the Mediterranean; soon after Captain-General of all the Roman forces, and governor of Asia. Pompey, on

the other side, restored the office of Tribune which Sylla had put down; and in his Consulship procured a law for *examining into the miscarriages of men in office or command for twenty years past.* Many other examples of Pompey's popularity are left us on record, who was a perfect favourite of the People, and designed to be more; but his pretensions grew stale for want of a timely opportunity to introduce them upon the stage. For Cæsar, with his legions in Gaul, was a perpetual check upon his designs; and in the arts of pleasing the People, did soon after get many lengths beyond him. He tells us* himself that the Senate by a bold effort, having made some severe decrees against his proceedings, and against the Tribunes; these all left the city, and went over to his party, and consequently along with them the affections and interests of the People; which is further manifest from the accounts he gives us of the citizens in several towns mutinying against their commanders, and delivering both to his devotion. Besides, Cæsar's public and avowed pretensions for beginning the civil war were to restore the Tribunes and the People, oppressed (as he pretended) by the Nobles.

This forced Pompey, against his inclinations, upon the necessity of changing sides, for fear of being forsaken by both; and of closing in with the Senate and chief magistrates, by whom he was chosen general against Cæsar.

Thus at length the Senate (at least the primitive part of them, the Nobles) under Pompey, and the Commons under Cæsar, came to a final decision of the long quarrels between them. For, I think, the ambition of private men did by no means begin or occasion this war; though civil dissensions never fail of introducing and spiriting the ambition of private men; who thus become indeed the great instruments for deciding of such quarrels, and at last are sure to seize on the prize. But no man who sees a flock of vultures hovering over two armies ready to engage, can justly charge the blood drawn in the battle to them, though the carcasses fall to their share. For while the balance of power is equally held, the ambition of private men, whether orators or great commanders, gives neither danger nor fear, nor can possibly enslave their country; but, that once broken, the divided parties are forced to unite each to its head, under whose conduct or fortune one side is at first victorious, and at last both are slaves. And to put it past dispute, that this entire subversion of the Roman liberty and constitution, was altogether owing to those measures which had broke the balance between the Patricians and Plebeians, whereof the ambition of particular men was but an effect and consequence; we need only consider that when the uncorrupted part of

* De bello civili [*Civil War*], l. 1.

the Senate had, by the death of Cæsar, made one great effort to restore their former state and liberty, the success did not answer their hopes; but that whole assembly was so sunk in its authority that those patriots were forced to fly, and give way to the madness of the People; who, by their own dispositions, stirred up with the harangues of their orators, were now wholly bent upon a single and despotic slavery. Else, how could such a profligate as Antony, or a boy of eighteen like Octavius, ever dare to dream of giving the law to such an empire and People? Wherein the latter succeeded, and entailed the vilest tyranny that Heaven, in its anger, ever inflicted on a corrupt and poisoned People. And this with so little appearance at Cæsar's death, that when Cicero wrote to Brutus how he had prevailed by his credit with Octavius to promise him (Brutus) pardon and security for his person; that great Roman received the notice with the utmost indignity, and returned Cicero an answer (yet upon record) full of the highest resentment and contempt for such an offer, and from such a hand.

Here ended all show or shadow of liberty in Rome. Here was the repository of all the wise contentions and struggles for power, between the Nobles and Commons, lapped up safely in the bosom of a Nero and a Caligula, a Tiberius and a Domitian.

Let us now see, from this deduction of particular impeachments, and general dissensions in Greece and Rome, what conclusions may naturally be formed for instruction of any other state, that may haply upon many points labour under the like circumstances.

CHAP. IV.

Upon the subject of *impeachments* we may observe that the custom of accusing the Nobles to the People, either by themselves or their orators (now styled *An Impeachment in the Name of the Commons*) has been very ancient both in Greece and Rome, as well as Carthage; and therefore may seem to be the inherent right of a free People; nay, perhaps it is really so. But then it is to be considered, first, that this custom was peculiar to republics, or such states where the administration lay principally in the hands of the Commons, and ever raged more or less, according to their encroachments upon absolute power; having been always looked upon by the wisest men and best authors of those times, as an effect of licentiousness, and not of liberty; a distinction, which no multitude, either represented or collective, hath been at any time very nice in observing. However, perhaps this custom in a popular state, of impeaching particular men, may seem to be nothing else but the People's

choosing upon occasion to exercise their own jurisdiction in person; as if a king of England should sit as chief justice in his court of King's Bench; which they say in former times he sometimes did. But in Sparta, which was called a kingly government, though the People were perfectly free, yet because the administration was in the two kings and the Ephori (with the assistance of the Senate) we read of no impeachments by the People. Nor was the process against great men, either upon account of ambition or ill conduct, though it reached sometimes to kings themselves, ever formed that way as I can recollect, but only passed through those hands where the administration lay. So likewise, during the regal government in Rome, though it were instituted a mixed monarchy, and the People made great advances in power, yet I do not remember to have read of one impeachment from the Commons against a patrician, till the consular state began, and the People had made great encroachments upon the administration.

Another thing to be considered is, that allowing this right of impeachment to be as inherent as they please, yet if the Commons have been perpetually mistaken in the merits of the causes and the persons as well as in the consequences of such impeachments upon the peace of the state, we cannot conclude less than that the Commons in Greece and Rome (whatever they may be in other states) were by no means qualified, either as prosecutors or judges in such matters; and therefore, that it would have been prudent to reserve these privileges dormant, never to be produced but upon very great and urging occasions, where the state is in apparent danger, the universal body of the people in clamours against the administration, and no other remedy in view. But for a few popular orators or tribunes, upon the score of *personal piques*; or *to employ the pride they conceive in seeing themselves at the head of a party*; or *as a method for advancement*; or *moved by certain powerful arguments that could make* Demosthenes *philippize*:° for such men, I say, when the state would of itself gladly be quiet, and hath besides, affairs of the last importance° upon the anvil, to *impeach* Miltiades, *after a great naval victory, for not pursuing the Persian fleet*; *to impeach* Aristides, *the person most versed among them in the knowledge and practice of their laws, for a blind suspicion of his acting in an arbitrary way (that is, as they expounded it, not in concert with the People)*; *to impeach* Pericles, *after all his services, for a few inconsiderable accounts*; or *to impeach* Phocion, *who had been guilty of no other crime but negotiating a treaty for the peace and security of his country*: what could the continuance of such proceedings end in, but the utter discouragement of all virtuous actions and persons, and consequently in the ruin of a state? Therefore the historians of those ages seldom fail to set this matter in all

its lights, leaving us the highest and most honourable ideas of those persons who suffered by the persecution of the People, together with the fatal consequences they had, and how the prosecutors seldom failed to repent, when it was too late.

These impeachments perpetually falling upon many of the best men both in Greece and Rome, are a cloud of witnesses° and examples enough to discourage men of virtue and abilities from engaging in the service of the public; and help on t'other side to introduce the ambitious, the covetous, the superficial and the ill-designing; who are as apt to be bold, and forward, and meddling, as the former are to be cautious, and modest, and reserved. This was so well known in Greece that an eagerness after employments in the state was looked upon by wise men as the worst title a man could set up; and made Plato say,° 'That if all men were as good as they ought, the quarrel in a commonwealth would be, not as it is now, who *should* be ministers of state, but who should *not* be so.' And Socrates is introduced by Xenophon,* severely chiding a friend of his for not entering into the public service, when he was every way qualified for it. Such a backwardness there was at that time among good men to engage with an usurping People, and a set of *pragmatical ambitious orators*. And Diodorus tells us,† that when the petalism was erected at Syracuse° in imitation of the ostracism at Athens, it was so notoriously levelled against all who had either birth or merit to recommend them, that whoever possessed either withdrew for fear, and would have no concern in public affairs. So that the people themselves were forced to abrogate it, for fear of bringing all things into confusion.

There is one thing more to be observed, wherein all the popular impeachments in Greece and Rome seem to have agreed; and that was, a notion they had of being concerned in point of honour to condemn whatever person they impeached; however frivolous the articles were upon which they began, or however weak the surmises whereon they were to proceed in their proofs. For, to conceive that the body of the People could be mistaken, was an indignity not to be imagined, till the consequences had convinced them when it was past remedy. And I look upon this as a fate to which all popular accusations are subject; though I should think that the saying, *Vox populi vox Dei*, ought to be understood of the universal bent and current of a People, not the bare majority of a few representatives; which is often procured by little arts, and great industry and application; wherein those who engage in the pursuits of malice and revenge, are much more sedulous than such as would prevent them.

* Lib. 3. Memorab. † Lib. 11.

From what has been deduced of the dissensions in Rome between the two bodies of Patricians and Plebeians, several reflections may be made.

First, that when the balance of power is duly fixed in a state, nothing is more dangerous and unwise than to give way to the first steps of popular encroachments, which is usually done either in hopes of procuring ease and quiet from some vexatious clamour, or else *made merchandise, and merely bought and sold.* This is breaking into a constitution to serve a present expedient, or supply a present exigency: the remedy of an empiric to stifle the present pain, but with certain prospect of sudden and terrible returns. When a child grows easy and content by being humoured, and when a lover becomes satisfied by small compliances, without further pursuits; then expect to find popular assemblies content with small concessions. If there could one single example be brought from the whole compass of history, of any one popular assembly, who after beginning to contend for power ever sat down quietly with a certain share; or if one instance could be produced of a popular assembly that ever knew, or proposed, or declared what share of power was their due; then might there be some hopes that it were a matter to be adjusted by reasonings, by conferences, or debates. But since all that is manifestly otherwise, I see no other course to be taken in a settled state, than a steady constant resolution in those to whom the rest of the balance is entrusted, never to give way so far to popular clamours as to make the least breach in the constitution, through which a million of abuses and encroachments will certainly in time force their way.

Again, from this deduction it will not be difficult to gather and assign certain marks of popular encroachments; by observing which, those who hold the balance in a state may judge of the degrees, and by early remedies and application put a stop to the fatal consequences that would otherwise ensue. What those marks are hath been at large deduced, and need not be here repeated.

Another consequence is this, that (with all respect for popular assemblies be it spoke) it is hard to recollect one folly, infirmity or vice, to which a single man is subjected, and from which a body of Commons, either collective or represented, can be wholly exempt. For, besides that they are composed of men with all their infirmities about them, they have also the ill fortune to be generally led and influenced by the very worst among themselves; I mean popular orators, tribunes, or, as they are now styled, *great speakers*, *leading men*, and the like. From whence it comes to pass that in their results we have sometimes found the same spirit of cruelty and revenge, of malice and pride, the same blindness and obstinacy and unsteadiness, the same ungovernable rage and anger, the

same injustice, sophistry, and fraud, that ever lodged in the breast of any individual.

Again, in all free states, the evil to be avoided is tyranny, that is to say, the *summa imperii*, or unlimited power solely in the hands of the One, the Few, or the Many. Now, we have shown that although most revolutions of government in Greece and Rome began with the Tyranny of the People, yet they generally concluded in that of a single person. So that a usurping populace is its own dupe, a mere underworker, and a purchaser in trust for some single tyrant whose state and power they advance to their own ruin, with as blind an instinct as those worms that die with weaving magnificent habits for beings of a superior nature to their own.

CHAP. V.

Some reflections upon the late public proceedings among us, and that variety of factions in which we are still so intricately engaged, gave occasion to this discourse. I am not conscious that I have forced one example, or put it into any other light than it appeared to me long before I had thoughts of producing it.

I cannot conclude without adding some particular remarks upon the present posture of affairs and dispositions in this kingdom.

The fate of empire is grown a common-place: that all forms of government having been instituted by men, must be mortal like their authors, and have their periods of duration limited, as well as those of private persons; this is a truth of vulgar knowledge and observation. But there are few who turn their thoughts to examine how those diseases in a state are bred, that hasten its end; which would, however, be a very useful inquiry. For, though we cannot prolong the period of a commonwealth beyond the decree of Heaven, or the date of its nature, any more than human life beyond the strength of the seminal virtue, yet we may manage a sickly constitution, and preserve a strong one; we may watch and prevent accidents; we may turn off a great blow from without, and purge away an ill humour that is lurking within: and by these, and other such methods, render a state long-lived, though not immortal. Yet some physicians have thought that if it were practicable to keep the several humours of the body in an exact equal balance of each with its opposite, it might be immortal, and so perhaps would a political body, if the balance of power could be always held exactly even. But, I doubt, this is as almost impossible in practice as the other.

It hath an appearance of fatality, and that the period of a state

approaches, when a concurrence of many circumstances, both within and without, unite towards its ruin; while the whole body of the People are either stupidly negligent, or else giving in with all their might to those very practices that are working their destruction. To see whole bodies of men breaking a constitution by the very same errors that so many have been broke before; to observe opposite parties who can agree in nothing else, yet firmly united in such measures as must certainly ruin their country; in short, to be encompassed with the greatest dangers from without, to be torn by many virulent factions within; then to be secure and senseless under all this, and to make it the very least of our concern; these, and some others that might be named, appear to me to be the most likely symptoms in a state of a sickness unto death.°

Quod procul à nobis flectat fortuna gubernans.
Et ratio potius, quam res persuadeat ipsa.°

LUCR.

There are some conjunctures, wherein the death or dissolution of government is more lamentable in its consequences, than it would be in others. And I think a state can never arrive to its period in a more deplorable crisis than at a time when some *prince in the neighbourhood*,° of vast power and ambition, lies hovering like a vulture to devour, or at least, dismember its dying carcase; by which means it becomes only a province or acquisition to some mighty monarchy, without hopes of a resurrection.

I know very well there is a set of sanguine tempers, who deride and ridicule in the number of fopperies all such apprehensions as these. They have it ready in their mouths, that the people of England are of a genius and temper never to admit slavery among them; and they are furnished with a great many commonplaces upon that subject. But it seems to me, that such discoursers do reason upon short views and a very moderate compass of thought. For I think it a great error to count upon the genius of a nation as a standing argument in all ages, since there is hardly a spot of ground in Europe where the inhabitants have not frequently and entirely changed their temper and genius. Neither can I see any reason, why the genius of a nation should be more fixed in the point of government than in their morals, their learning, their religion, their common humour and conversation, their diet and their complexion; which do all notoriously vary almost in every age, and may every one of them have great effects upon men's notions of government.

Since the Norman conquest the balance of power in England has often varied, and sometimes been wholly overturned. The part which the

Commons had in it, *that most disputed point in its original, progress, and extent*, was by their own confessions but a very inconsiderable share. Generally speaking, they have been gaining ever since, although with frequent interruptions and slow progress. The abolishing of villeinage, together with the custom introduced (or permitted) among the Nobles of selling their lands in the reign of Henry the Seventh, was a mighty addition to the power of the Commons: yet I think a much greater happened in the time of his successor, at the dissolution of the abbeys; for this turned the clergy wholly out of the scale, who had so long filled it, and placed the Commons in their stead, who in a few years became possessed of vast quantities of those and other lands, by grant or purchase. About the middle of Queen Elizabeth's reign, I take the power between the Nobles and the Commons to have been in more equal balance than it was ever before or since. But then, or soon after, arose a faction in England, which under the name of Puritan began to grow popular, by moulding up their new schemes of religion with republican principles in government; who, gaining upon the prerogative as well as the Nobles, under several denominations, for the space of about sixty years, did at last overthrow the constitution and, according to the usual course of such revolutions, did introduce a Tyranny, first of the People, and then of a single person.°

In a short time after, the old government was revived. But the progress of affairs for almost thirty years, under the reigns of two weak princes,° is a subject of a different nature; when the balance was in danger to be overturned by the hands that held it, which was at last very seasonably prevented by the late Revolution. However, as it is the talent of human nature to run from one extreme to another, so in a very few years we have made mighty leaps from prerogative heights into the depth of popularity,° and, I doubt, to the very last degree that our constitution will bear. It were to be wished, that the most august assembly of the Commons would please to form a Pandect of their own power and privileges, to be confirmed by the entire legislative authority, and that in as solemn a manner (if they please) as the *Magna Charta*. But to fix one foot of their compass wherever they think fit, and extend the other to such terrible lengths, without describing any circumference at all, is to leave us and themselves in a very uncertain state, and in a sort of *rotation*, that the author of the *Oceana* never dreamed on.° I believe the most hardy tribune will not venture to affirm at present that any just fears of encroachment are given us from the regal power, or the Few: and is it then impossible to err on the other side? How far must we proceed, or where shall we stop? The raging of the sea, and the madness of the

people,° are put together in Holy Writ; and it is God alone who can say to either, *Hitherto shalt thou pass, and no farther.*°

The balance of power in a limited state is of such absolute necessity that Cromwell himself, before he had perfectly confirmed his tyranny, having some occasions for the appearance of a parliament, was forced to create and erect an entire new House of Lords (such as it was) for a counterpoise to the Commons. And indeed, considering the vileness of the clay, I have sometimes wondered that no tribune of that age durst ever venture to ask the potter, What dost thou make?° But it was then about the last act of a popular usurpation; and Fate, or Cromwell, had already prepared them for that of a single person.

I have been often amazed at the rude, passionate, and mistaken results, which have at certain times fallen from great assemblies, both ancient and modern, and of other countries as well as our own. This gave me the opinion I mentioned a while ago, that public conventions are liable to all the infirmities, follies, and vices of private men. To which, if there be any exception, it must be of such assemblies who act by *universal concert, upon public principles, and for public ends*; such as proceed upon debates without *unbecoming warmths*, or *influence from particular leaders and inflamers*; such whose members, instead of *canvassing to procure majorities for their private opinions, are ready to comply with general sober results, though contrary to their own sentiments.* Whatever assemblies act by these, and other methods of the like nature, must be allowed to be exempt from several imperfections to which particular men are subjected. But I think the source of most mistakes and miscarriages in matters debated by public assemblies, ariseth from the influence of private persons upon great numbers, styled, in common phrase, *leading men and parties.* And therefore, when we sometimes meet a few words put together, which is called the Vote or Resolution of an Assembly, and which we cannot possibly reconcile to prudence, or public good, it is most charitable to conjecture that such a Vote has been conceived, and born, and bred in a private brain; afterwards raised and supported by an obsequious party; and then with usual methods confirmed by an artificial majority. For, let us suppose five hundred men, mixed in point of sense and honesty as usually assemblies are; and let us suppose these men proposing, debating, resolving, voting, according to the mere natural motions of their own little or much reason and understanding; I do allow, that abundance of indigested and abortive, many pernicious and foolish overtures would arise and float a few minutes; but then they would die and disappear. Because this must be said in behalf of human kind, that common sense and plain reason, while men are disengaged from acquired

opinions, will ever have some general influence upon their minds; whereas the species of folly and vice are infinite, and so different in every individual, that they could never procure a majority if other corruptions did not enter to pervert men's understandings, and misguide their wills.

To describe how parties are bred in an assembly would be a work too difficult at present, and perhaps not altogether safe. *Periculosæ plenum opus aleæ.*° Whether those who are leaders, usually arrive at that station more by a sort of instinct or secret composition of their nature, or influence of the stars, than by the possession of any great abilities, may be a point of much dispute. But when the leader is once fixed, there will never fail to be followers. And man is so apt to imitate, so much of the nature of sheep (*imitatores, servum pecus*)°, that whoever is so bold to give the first *great leap over the heads of those about him* (though he be the worst of the flock), shall be quickly followed by the rest. Besides, when parties are once formed, the stragglers look so ridiculous and become so insignificant, that they have no other way but to run into the herd, which at least will hide and protect them; and where to be much considered requires only to be very violent.

But there is one circumstance with relation to parties, which I take to be of all others most pernicious in a state; and I would be glad any partisan would help me to a tolerable reason, that because Clodius and Curio happen to agree with me in a few singular notions, I must therefore blindly follow them in all: or, to state it at best, that because Bibulus the party-man is persuaded that Clodius and Curio do really propose the good of their country as their chief end, therefore Bibulus shall be wholly guided and governed by them in the means and measures towards it. Is it enough for Bibulus and the rest of the herd to say, without further examining, 'I am of the side with Clodius', or 'I vote with Curio'? Are these proper methods to form and make up what they think fit to call the *united wisdom of the nation*? Is it not possible that upon some occasions Clodius may be bold and insolent, borne away by his passion, malicious and revengeful? that Curio may be corrupt, and expose to sale his tongue or his pen? I conceive it far below the dignity both of human nature and human reason, to be engaged in any party, the most plausible soever, upon such servile conditions.

This influence of One upon Many, which seems to be as great in a People represented, as it was of old in the Commons collective, together with the consequences it has had upon the legislature, hath given me frequent occasion to reflect upon what Diodorus tells us° of one Charondas, a lawgiver to the Sybarites an ancient people of Italy, who was so averse from all innovation, especially when it was to proceed from

particular persons (and, I suppose, that he might put it out of the power of men fond of their own notions to disturb the constitution at their pleasures, by advancing private schemes), as to provide a statute that whoever proposed any alteration to be made, should step out and do it with a rope about his neck: if the matter proposed were generally approved, then it should pass into a law; if it went in the negative, the proposer to be immediately hanged. Great ministers may talk of what projects they please; but I am deceived if a more effectual one could ever be found for *taking off* (as the present phrase is) those hot, unquiet spirits, who disturb assemblies, and obstruct public affairs, by gratifying their pride, their malice, their ambition, their vanity, or their avarice.

Those who in a late reign began the distinction between the personal and political capacity, seem to have had reason if they judged of princes by themselves; for, I think there is hardly to be found through all nature a greater difference between two things, than there is between a representing commoner in the function of his public calling, and the same person when he acts in the common offices of life. Here he allows himself to be upon a level with the rest of mortals; here he follows his own reason, and his own way, and rather affects a singularity in his actions and thoughts, than servilely to copy either from the wisest of his neighbours. In short, here his folly and his wisdom, his reason and his passions, are all of his own growth, not the echo or infusion of other men. But when he is got near the walls of his assembly, he assumes and affects an entire set of very different airs; he conceives himself a being of a superior nature to those *without*, and acting in a sphere where the vulgar methods for the conduct of human life can be of no use. He is listed in a party where he neither knows the temper, nor designs, nor perhaps the person of his leader, but whose opinions he follows and maintains with a zeal and faith as violent, as a young scholar does those of a philosopher whose sect he is taught to profess. He hath neither thoughts, nor actions, nor talk, that he can call his own, but all conveyed to him by his leader, as wind is through an organ. The nourishment he receives has been not only chewed but digested, before it comes into his mouth. Thus instructed, he followeth his party right or wrong, through all its sentiments, and acquires a courage and stiffness of opinion not at all congenial with him.

This encourages me to hope that during the present lucid interval,° the members retired to their homes may suspend a while their *acquired complexions*, and taught by the calmness of the scene and the season, reassume the native sedateness of their temper. If this should be so, it would be wise in them, as individual and private mortals, to look back a little upon the storms they have raised, as well as those they have escaped:

to reflect, that they have been authors of a new and wonderful thing in England, which is, for a House of Commons to lose the universal favour of the numbers they represent:° to observe how those whom they thought fit to persecute for righteousness' sake have been openly caressed by the people; and to remember how themselves sat in fear of their persons from popular rage. Now, if they would know the secret of all this unprecedented proceeding in their *masters*, they must not impute it to their freedom in debate, or declaring their opinions; but to that unparliamentary abuse of setting individuals upon their shoulders, who were hated by God and man. For it seems the mass of the people, in such conjunctures as this, have opened their eyes, and will not endure to be governed by *Clodius* and *Curio*, at the head of their *myrmidons*, though these be ever so numerous, and composed of their own representatives.

This aversion of the people against the late proceedings of the Commons is an accident, that if it last a while, might be improved to good uses for setting the balance of power a little more upon an equality than their late measures seem to promise or admit. This accident may be imputed to two causes: the first is an universal fear and apprehension of the greatness and power of France, whereof the people in general seem to be very much and justly possessed, and therefore cannot but resent to see it, in so critical a juncture, wholly laid aside by their ministers, the Commons. The other cause is a great love and sense of gratitude in the people towards their present King, grounded upon a long opinion and experience of his merit, as well as concessions to all their reasonable desires; so that it is for some time they have begun to say, and to fetch instances where he has in many things been hardly used. How long these humours may last (for passions are momentary, and especially those of a multitude) or what consequences they may produce, a little time will discover. But whenever it comes to pass that a popular assembly, free from such obstructions, and already possessed of more power than an equal balance will allow, shall continue to think they have not enough, but by cramping the hand that holds the balance, and by impeachments or dissensions with the nobles endeavour still for more; I cannot possibly see, in the common course of things, how the same causes can produce different effects and consequences among us, from what they did in Greece and Rome.

[There is one thing I must needs add, though I reckon it will appear to many as a very unreasonable paradox. When the Act passed some years ago against bribing of elections, I remember to have said upon occasion to some persons of both Houses, that we should be very much deceived in the consequences of that Act: and upon some discourse of the

conveniences of it, and the contrary (which will admit reasoning enough), they seemed to be of the same opinion. It has appeared since that our conjectures were right: for I think the late Parliament° was the first-fruits of that Act; the proceedings whereof, as well as of the present, have been such as to make many persons wish that things were upon the old foot in that matter. Whether it be that so great a reformation was too many degrees beyond so corrupt an Age as this; or that according to the present turn and disposition of men in our nation, it were a less abuse to bribe elections, than leave them to the discretion of the choosers, this at least was Cato's opinion, when things in Rome were at a crisis much resembling ours; who is recorded to have gone about with great industry, dealing money among the people to favour Pompey (as I remember) upon a certain election in opposition to Cæsar. And he excused himself in it upon the necessities of the occasion, and the corruptions of the people; an action that might well have excused Cicero's censure of him, that he reasoned and acted *tanquam in Republica Platonis, non in fæce Romuli.*° However it be, 'tis certain that the talents which qualify a man for the service of his country in Parliament, are very different from those which give him a dexterity at making his court to the people, and do not often meet in the same subject. Then for the moral part, the difference is inconsiderable; and whoever practices upon the weakness and vanity of the people is guilty of an immoral action as much as if he did it upon their avarice. Besides, the two trees may be judged by their fruits. The former produces a set of popular men, fond of their own merits and abilities, their opinions, and their eloquence; whereas the bribing of elections seems to be at worst but an ill means of keeping things upon the old foot, by leaving the defence of our properties chiefly in the hands of those who will be the greatest sufferers, whenever they are endangered. It is easy to observe in the late and present Parliament, that several boroughs and some counties have been represented by persons who little thought to have ever had such hopes before: and how far this may proceed, when such a way is laid open for the exercise and encouragement of popular arts, one may best judge from the consequences that the same causes produced both in Athens and Rome. For, let speculative men reason, or rather refine as they please; it ever will be true among us, that as long as men engage in the public service upon private ends, and whilst all pretences to a sincere Roman love of our country, are looked upon as an affectation, a foppery, or a disguise (which has been a good while our case, and is likely to continue so), it will be safer to trust our property and constitution in the hands of such who have paid for their elections, than of those who have obtained them by servile flatteries of the people.]°

24 *Contests and Dissensions*. Looking back on the appearance in October 1701 of this pamphlet, Swift recollects that the anonymous work 'was greedily bought, and read . . .', adding that 'the vanity of a young man prevailed with me, to let myself be known for the author: upon which my Lords Somers and Halifax . . . desired my acquaintance, with great marks of esteem and professions of kindness: not to mention the Earl of Sunderland, who had been of my old acquaintance . . .' (*Prose*, viii. 119 ff.). *Contests and Dissensions*, however, is less a partisan defence of these Whig statesmen than an elucidation of certain deeply held ideas given form by Swift's alarm at the disorderly parliamentary session in 1701. The immediate context of Swift's *Discourse* was the frenetic political and journalistic activity in London that marks the interval between the Peace of Ryswick, signed in September 1697 and concluding the first part of the war against Louis XIV's French expansionist policy, and the outbreak in 1702 of the second part of the struggle, the War of the Spanish Succession. Immediately after the

conclusion of the Peace, William's English ministers, the so-called Whig Junto which included Lord Chancellor Somers, Secretary of State Sunderland, Halifax as Chancellor of the Exchequer, and Orford, first Lord of the Admiralty, came under severe attack from the political Opposition. The group lost cohesion, and over the next four years were forced out of office. At the same time, a continuing struggle by the House of Commons to seize more power in the government of the State was directed partly against the King, and partly against the House of Lords. The twin encroachments became a no-holds-barred onslaught on William's ministers, both as peers and as royal favourites. The Tories, led by Harley in the Commons, extended the discussion to foreign policy, hitherto an area of unquestioned royal action. In March 1698, William had negotiated between the Dutch, England and France (one of the claimants to the Spanish inheritance) a secret Partition Treaty, agreeing on a division of the huge Spanish Empire after the death of the ailing king, Carlos II, who had no direct heir. The English ministers advised against this treaty, but allowed the Great Seal to be fixed to it. Another Partition Treaty, more public than the first, was almost immediately made necessary by changes in circumstances, and was signed in February 1700. The immediate denunciation of this second treaty by the Austrian Emperor (another claimant), and its repudiation by Louis XIV on the death of Carlos II in October 1700, so that his second grandson could by the Spanish king's will inherit the whole Spanish Empire as Philip V, precipitated the War of the Spanish Succession. The treaty negotiations formed the basis of articles of impeachment by the Tories against Somers, Halifax, Orford, and the King's Dutch favourite Portland, the 'Lords Partitioners'. These impeachments, prosecutions of peers by the Commons before the rest of the Lords, became a principal concern of William III's fifth Parliament, which met on 10 February 1701. Swift, who had arrived in London in May 1701, is correct in believing that the issues raised fundamental considerations of political power. *Contests and Dissensions* is not a truly controversial pamphlet like Defoe's contributions to the foreign policy debate; it provoked no detailed refutation. In tone and intention, it scorns the popular press, though echoing several contemporary pamphlets. It is aimed at the men of taste to whom he appeals in *An Apology for A Tale of a Tub* (below, p. 71). In fact, it belongs to the end of the spectrum of Swift's writing occupied by that great and difficult satire. *Contests and Dissensions* is a 'historical allegory'. Swift makes free use of the form, appealing to his literate audience's sense of reading as a game, and finds parallels and similarities in ancient history for a bewildering array of details and figures on the contemporary political scene. Considering the brief period available for composition, he probably used abstracts of his wide reading made in Sir William Temple's library. The working out of the pamphlet, however, was not so smooth as its tone suggests. The first four chapters are obviously written to apply to the heat of the power struggle in Parliament. The end of chapter IV is in effect the conclusion of the argument. On 24 June 1701, William cooled the situation by proroguing Parliament, thus effectively quashing the impeachments. Chapter V, dropping the classical allegory,

clearly comes *after* 'the late public proceedings'. It contains some of the best generalized political writing in the book, such as the three paragraphs on political parties (pp. 52–3), and in spirit and expression is quite close to some parts of *A Tale of a Tub*, perhaps embodying material associated with that text.

Note A. Some obvious personal references may be tabulated as follows:

Alcibiades, Orford as 33–4; Montague as 33–4
Appius Claudius Sabinus, Lord Haversham as 39
Clodius, Sir Edward Seymour as 53
Coriolanus, Danby as 39
Curio, Charles Davenant as 53
Gracchi, Tories as 42
Miltiades, Orford as 32, 46
Pericles, Montagu as 33, 35
Phocion, Bentinck as 34, 35, 46
Polyperchon, Marlborough as 34
Roman Tribunes, Tory leaders as 38 ff.
Scipio Africanus, *Publius*, Lord Partitioner as 42
Scipio, *Lucius*, Lord Partitioner as 42
Servius Tullius, Cromwell as 38
Tarquinius Priscus, Charles I as 37–8
Tarquin the Proud, James II as 38
Themistocles, Orford as 33, 35

Note B. Swift frequently, but not always, cites his classical sources in marginal notes. Though perhaps capable of reading the Greek texts, he seems to have used Latin versions of them, and English versions of both Greek and Latin. He also makes use of Temple's own comments on ancient history, political theory, and citation of classical historians. Swift's principal sources are set out below:

Appian of Alexandria (AD 160), compilation of twenty-four books of histories of the Roman wars to Vespasian; ten survive plus fragments.
Caius Julius Caesar (? 102–44 BC), *Civil War*, unfinished in three books.
Marcus Tullius Cicero (106–43 BC), *Letters to Marcus Brutus; De Re Publica* (*c.*51 BC), three books and fragments.
Diodorus Siculus (*c.*40 BC), Greek compilation of world history centred on Rome, to Caesar's conquest of Gaul.
Dionysius of Halicarnassus (*c.*25 BC), *History of Rome* in Greek, an introduction to Polybius, ten books and fragments surviving (*SL* 234).
Herodotus (*c.*480–425 BC), digressive and anecdotal Greek *History* deals with the war between Asia and Greece, from Croesus to Xerxes (*SL* 92 and 384).
Livius, Titius [Livy] (59 BC–AD17), *History of Rome*, appearing from 26 BC (*SL* 157).
Plutarch (*c.*46–126), *Lives* (*SL* 243).
Polybius (*c.*202–120 BC), Greek *History* of the rise and supremacy of Rome to the destruction of Carthage, forty books, of which the last five, plus fragments, survive.
Thucydides (*c.*460–400 BC), unfinished *History of the Peloponnesian War* (431–404 BC) (*SL* 368), translated by Hobbes.
Xenophon (*c.*430–*c.*355 BC), *History of Greece* and *Memorabilia* [Recollections of Socrates] (*SL* 81).

24 —— *Si tibi vera . . . accingere contra.* 'If it appears to you true, throw in the sponge; and if it is false, prepare yourself to fight': Lucretius, *De Rerum Natura*, ii. 1042–3.

one eminent spirit . . . The modern references are specifically to William III, the Lords, and the Commons.

26 *the truest account of . . . Tyranny.* Swift elaborates a particular, anti-Tory definition of tyranny.

to endeavour to force a lady of great virtue: the very crime. The decemvir Appius Claudius tried to abduct Virginia; earlier, Tarquinius had raped Lucretia.

27 *Regno, Optimatium, et Populi Imperio.* Polybius writes in Greek; the Latin phrases come from the paraphrase in Isaac Casaubon (ed.), *Historiae* (Paris, 1609). [Ellis]

Reges, Seniores, et Populus. 'The [two] kings, the elders, and the people.'

28 *each party.* Each part, constituent.

Inherent Right . . . a dormant power . . . privileges . . . Specific references to the claims advanced on behalf of the Commons by the Tory majority, the impeachers.

29 *Not to consent . . . unless another law* . . . The parliamentary manœuvre of 'tacking' partisan legislation on to bills for supplying the Government with funds.

great changes and alienations of property . . . The estates forfeited by the Catholics in Ireland after the defeat there of James II.

whatever attempt is begun by an assembly ought to be pursued . . . The Whig Lords Partitioners were acquitted in June 1701, but the Tories were reported resolved to pursue the matter further.

the Most Christian King. Louis XIV, who was commonly accused of aiming at the 'universal monarchy' of Europe.

32 *when Athens was at the height of its glory.* Swift is setting out on a specific and extended allegory of the impeached Lords Partitioners (see above, p. 613).

ostracism . . . removed from their presence and councils for ever. For ostracism see note to p. 47 (3) . . . The request of the Tory majority in the Commons to William concerning the impeached Ministers.

34 *to Philippize.* The word was introduced (330 BC) by Demosthenes to describe an Athenian who sided with the enemy, Philip of Macedon; here, it signifies anti-Williamites who had been paid by Louis XIV to support the French claim to the Spanish inheritance for Louis's grandson, Philip of Anjou.

37 *entering on a war . . . only permitted at the King's pleasure.* The main constitutional point at issue; the Crown claimed uncontrolled power in making peace and war, i.e. the direction of foreign policy.

populi impetratâ veniâ. 'After obtaining the good will of the people.'

38 *Servius Tullius . . . King.* Oliver Cromwell was offered the crown in May 1657.

Tribunes of the People. The Tory leaders, protected by parliamentary privilege.

39 *the conquered lands.* The forfeited estates in Ireland.

the Consuls themselves. The King's Ministers, who were peers.

41 *those abuses and corruptions which in time destroy a government . . .* A central belief of Swift's, following a preoccupation of Sir William Temple's; the reference should be to Polybius, vi. 10. [Ellis]

42 *the age of the Gracchi.* The political struggle following the Peace of Ryswick, September 1697.

a great private estate left by a king. William granted James II's own large Irish property to his former mistress, Elizabeth Villiers, Countess of Orkney, later a friend of Swift's.

46 *make Demosthenes philippize.* See note to p. 34.

affairs of the last importance. The approach of the War of the Spanish Succession: above, p. 612.

47 *a cloud of witnesses.* Hebrews 12: 1.

made Plato say. Republic, vii. 520 d–521 a.

the petalism was erected at Syracuse. The Syracusan voter wrote the name of a citizen he was nominating for banishment on an olive leaf (*petalos*), instead of the Athenian potsherd (*ostrakon*, giving 'ostracism').

50 *a sickness unto death.* John 11: 4.

Quod procul . . . persuadeat ipsa. 'May Fortune that directs things steer this fate from us. And may rational thought, rather than the event itself, convince': Lucretius, *De Rerum Natura*, v. 107–8.

some prince in the neighbourhood. In September 1701, on the death in exile of James II, Louis XIV violated the Treaty of Ryswick by publicly recognizing James's son, the Old Pretender, as James III of England.

51 *Tyranny . . . of a single person.* Oliver Cromwell.

two weak princes. Charles II and James II.

popularity. Tyranny of the plebs, the people.

a sort of rotation, that the author of the Oceana never dreamed on. James Harrington (1611–77), the Republican author of *The Commonwealth of Oceana* (1656; 1658), a Utopia carefully studied by Swift, was a member of a political club called the *Rota*, that met towards the end of the Commonwealth; one of the ideas canvassed was Harrington's notion of rotation in membership of the Senate.

52 *The raging of the sea, and the madness of the people.* Jude 13, which throughout denounces the ungodly.

Hitherto shalt thou pass, and no farther. Job 38: 8–11.

potter, What dost thou make? Isaiah 45: 9.

53 *Periculosae plenum opus aleæ.* 'A task fraught with perilous chance': Horace, *Odes*, II. i. 6.

imitatores, servum pecus. 'Imitators, that slavish herd': Horace, *Epistles*, I. xix. 19.

what Diodorus tells us. Diodorus Siculus, xii. 17.

54 *during the present lucid interval.* Parliament was prorogued on 24 June 1701.

55 *a House of Commons to lose the universal favour of the numbers they represent.* Refers to the uproar over the imprisonment in May of the five Kentish petitioners who in a carefully orchestrated move advocated support for William against Louis XIV, and the ensuing Whig propaganda victory of Defoe's *Legion's Memorial.*

55–6 *the Act passed some years ago against bribing of elections . . . the late Parliament.* 21 January 1696 . . . William III's fourth Parliament, 6 December 1698 to 19 December 1700, which passed several measures hostile to the King. Swift is defending the legitimacy of the Crown's influence in elections.

56 *tanquam . . . Romuli.* Slightly altered quotation from Cicero's *Letters to Brutus*, no. 21 (II. 1): '[Cato speaks in the Senate] as though he were living in Plato's Republic instead of Romulus' cesspool.' [D. R. Shackleton Bailey]

[*There is . . . the people*]. The final paragraph was omitted by Swift from all editions after the first.